

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 85449-0112

In re patent application of

Jan DIETRICH et al.

Serial No.: 09/942,045

Filed: August 30, 2001

For: MEANS OF APPLYING A PRINTED IMAGE TO A TEXTILE SUBSTRATE



Group Art Unit: 1773

Examiner: Unassigned

SUBMISSION OF SMALL ENTITY DECLARATION

Assistant Commissioner of Patents

Office of Finance

Washington, D.C. 20231

Sir:

Applicants are filing herewith a Small Entity Declaration for a Small Business

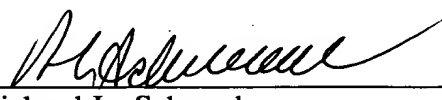
Concern by the Assignee of the entire rights in the above-identified application.

Respectfully submitted,

December 3, 2001

Date

FOLEY & LARDNER
3000 K Street, N.W., Suite 500
P.O. Box 25696
Washington, D.C. 20007-8696
Telephone: (202) 672-5300


Richard L. Schwaab
Registration No. 25,479

#3

Applicant or Patentee: Ian DIETRICH et al.

Serial or Patent No.:

Atty. Dkt. No. 085449/0112

Filed or Issued:

For: **MEANS OF APPLYING A PRINTED IMAGE TO A TEXTILE SUBSTRATE****VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.27) — SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Star Coating AG**ADDRESS OF CONCERN: Gewerbestrasse 16
CH-8155 Niederhasli
Switzerland**

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18 and reproduced in 37 CFR 1.27, for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled **MEANS OF APPLYING A PRINTED IMAGE TO A TEXTILE SUBSTRATE** by inventors **Ian DIETRICH, Peter KUMMER, and Ilona STIBUREK** described in

- ☒ the specification filed herewith
☒ application serial no. _____ filed _____
☐ patent no. _____, issued _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.27(a)(1) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2) or a nonprofit organization under 37 CFR 1.27(a)(3). * NOTE: Separate

ATTORNEY DOCKET NO. 085449/0112

verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities: (37 CFR 1.27)

NAME: _____

ADDRESS: _____

() INDIVIDUAL() SMALL BUSINESS CONCERN() NONPROFIT CORPORATION

NAME: _____

ADDRESS: _____

() INDIVIDUAL() SMALL BUSINESS CONCERN() NONPROFIT CORPORATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate: (37 CFR 1.27.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: _____

TITLE OF PERSON OTHER THAN OWNER: SEEWER JUERGADDRESS OF PERSON SIGNING: MANAGING DIRECTORSIGNATURE: SPITZACKER STR. 79 CH-8910 BONENDATE: 22/10/01

Atty. Dkt. No. 085449-0112

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

MEANS OF APPLYING A PRINTED IMAGE TO A TEXTILE SUBSTRATE

(Attorney Docket No. 085449-0112)

the specification of which (check one)

 X is attached hereto.

 was filed on _____ as United States Application Number
or PCT International Application Number _____ and
was amended on _____ (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

Atty. Dkt. No. 085449-0112

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?
00118168.4	Europe	30 August, 2000	Yes	

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date

I HEREBY CLAIM the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents of the law firm of FOLEY & LARDNER:

STEPHEN A. BENT	Reg. No. 29,768
DAVID A. BLUMENTHAL	Reg. No. 26,257
BETH A. BURROUS	Reg. No. 35,087
ALAN I. CANTOR	Reg. No. 28,163
WILLIAM T. ELLIS	Reg. No. 26,874
JOHN J. FELDHAUS	Reg. No. 28,822
MICHAEL D. KAMINSKI	Reg. No. 32,904
LYLE K. KIMMS	Reg. No. 34,079
KENNETH E. KROSIN	Reg. No. 25,735

Atty. Dkt. No. 085449-0112

JOHNNY A. KUMAR	Reg. No. 34,649
JACK LAHR	Reg. No. 19,621
GLENN LAW	Reg. No. 34,371
PETER G. MACK	Reg. No. 26,001
STEPHEN B. MAEBIUS	Reg. No. 35,264
BRIAN J. MC NAMARA	Reg. No. 32,789
SYBIL MELOY	Reg. No. 22,749
RICHARD C. PEET	Reg. No. 35,792
GEORGE E. QUILLIN	Reg. No. 32,792
ANDREW E. RAWLINS	Reg. No. 34,702
BERNHARD D. SAXE	Reg. No. 28,665
CHARLES F. SCHILL	Reg. No. 27,590
RICHARD L. SCHWAAB	Reg. No. 25,479
MICHELE M. SIMKIN	Reg. No. 34,717
HAROLD C. WEGNER	Reg. No. 25,258

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Richard L. Schwaab
FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109

Telephone: (202) 672-5414
Facsimile: (202) 672-5399

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	Ian DIETRICH
Residence	Kreuzlingen, Switzerland
Citizenship	Switzerland
Post Office Address	Laerchengasse 13 Kreuzlingen Switzerland
Inventor's signature	<i>I. Dietrich</i>
Date	24.9.2001

Atty. Dkt. No. 085449-0112

Name of second inventor

Peter KUMMER

Residence

Neunkirch, Switzerland

Citizenship

Switzerland

Post Office Address

Schaffhauserstrasse 19
CH-8213 Neunkirch
Switzerland

Inventor's signature

Date

26.09.01

Name of third inventor

Ilona STIBUREK

Residence

Zuerich, Switzerland

Citizenship

Switzerland

Post Office Address

Koechlistrasse 6
CH-8001 Zuerich
Switzerland

Inventor's signature

Date

I. Stiburek
28.9.2007

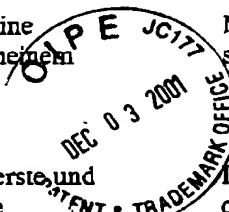
Declaration and Power of Attorney For Patent Application
Erklärung Für Patentanmeldungen Mit Vollmacht
German Language Declaration

Als nachstehend benannter Erfinder erkläre ich hiermit an
 Eides Statt:

As a below named inventor, I hereby declare that:

dass mein Wohnsitz, meine Postanschrift, und meine
 Staatsangehörigkeit den im Nachstehenden nach meinem
 Namen aufgeführten Angaben entsprechen,

My residence, post office address and citizenship are as
 stated below next to my name,



dass ich, nach bestem Wissen der ursprüngliche, erste und
 alleinige Erfinder (falls nachstehend nur ein Name
 angegeben ist) oder ein ursprünglicher, erster und
 Miterfinder (falls nachstehend mehrere Namen aufgeführt
 sind) des Gegenstandes bin, für den dieser Antrag gestellt
 wird und für den ein Patent beantragt wird für die Erfindung
 mit dem Titel:

I believe I am the original, first and sole inventor (if only
 one name is listed below) or an original, first and joint
 inventor (if plural names are listed below) of the subject
 matter which is claimed and for which a patent is sought on
 the invention entitled

**MEANS OF APPLYING A PRINTED IMAGE TO A
 TEXTILE SUBSTRATE**

deren Beschreibung
 (zutreffendes ankreuzen)

☒ hier beigelegt ist.

☐ am _____ unter der

Anmeldungsseriennummer _____

eingereicht wurde und am abgeändert wurde

_____ (falls tatsächlich abgeändert).

Ich bestätige hiermit, dass ich den Inhalt der obigen
 Patentanmeldung einschliesslich der Ansprüche durchgesehen
 und verstanden habe, die eventuell durch einen Zusatzantrag
 wie oben erwähnt abgeändert wurde.

Ich erkenne meine Pflicht zur Offenbarung irgendwelcher
 Informationen, die für die Prüfung der vorliegenden
 anmeldung in Einklang mit Absatz 37, Bundesgesetzbuch,
 Paragraph 1.56(a) von Wichtigkeit sind, an.

Ich beanspruche hiermit ausländische Prioritätsvorteile
 gemäss Abschnitt 35 der Zivilprozessordnung der
 Vereinigten Staaten, Paragraph 119 aller unten angegebenen
 Auslandsanmeldungen für ein Patent oder eine
 Erfindersurkunde, und habe auch alle Auslandsanmeldungen
 für ein Patent oder eine Erfindersurkunde nachstehend
 gekennzeichnet, die ein Anmeldedatum haben, das vor dem
 Anmeldedatum der Anmeldung liegt, für die Priorität
 beansprucht wird.

**MEANS OF APPLYING A PRINTED IMAGE TO A
 TEXTILE SUBSTRATE**

the specification of which
 (check one)

☒ is attached hereto.

☐ was filed on _____ as

Application Serial No. _____

and was amended on _____
 (if applicable).

I hereby state that I have reviewed and understand the
 contents of the above identified specification, including the
 claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is
 material to the examination of this application in accordance
 with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35,
 United States Code, §119 of any foreign application(s) for
 patent or inventor's certificate listed below and have also
 identified below any foreign application for patent or
 inventor's certificate having a filing date before that of the
 application on which priority is claimed:

Declaration and Power of Attorney For Patent Application
Erklärung Für Patentanmeldungen Mit Vollmacht
German Language Declaration

Prior foreign applications
Priorität beansprucht

EP 00118168.4 EUROPE

(Number) (Country)
 (Nummer) (Land)

 (Number) (Country)
 (Nummer) (Land)

 (Number) (Country)
 (Nummer) (Land)

30 August 2000
 (Day/Month/Year Filed)
 (Tag/Monat/Jahr eingereicht)

Priority Claimed

☒ ☐
 Yes No
 Ja Nein

 (Day/Month/Year Filed)
 (Tag/Monat/Jahr eingereicht)

☐ ☐
 Yes No
 Ja Nein

 (Day/Month/Year Filed)
 (Tag/Monat/Jahr eingereicht)

☐ ☐
 Yes No
 Ja Nein

Ich beanspruche hiermit gemäss Absatz 35 der Zivilprozessordnung der Vereinigten Staaten, Paragraph 112, den Vorzug aller unten aufgeführten Anmeldungen und falls der Gegenstand aus jedem Anspruch dieser Anmeldung nicht in einer früheren amerikanischen Patentanmeldung laut dem ersten Paragraphen des Absatzes 35 der Zivilprozessordnung der Vereinigten Staaten, Paragraph 112 offenbart ist, erkenne ich gemäss Absatz 37, Bundesgesetzbuch, Paragraph 1.56(a) meine Pflicht zur Offenbarung von Informationen an, die zwischen dem Anmeldedatum der früheren Anmeldung und dem nationalen oder PCT internationalen Anmeldedatum dieser Anmeldung bekannt geworden sind.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

 (Application Serial No.)
 (Anmeldeseriennummer)

 (Filing Date)
 (Anmeldedatum)

 (Status)
 (patentiert, anhängig,
 aufgegeben)

 (Status)
 (patented, pending,
 abandoned)

 (Application Serial No.)
 (Anmeldeseriennummer)

 (Filing Date)
 (Anmeldedatum)

 (Status)
 (patentiert, anhängig,
 aufgegeben)

 (Status)
 (patented, pending,
 abandoned)

Ich erkläre hiermit, dass alle von mir in der vorliegenden Erklärung gemachten Angaben nach meinem besten Wissen und Gewissen der vollen Wahrheit entsprechen, und dass ich diese eidesstattliche Erklärung in Kenntnis dessen abgebe, dass wissentlich und vorsätzlich falsche Angaben gemäss Paragraph 1001, Absatz 18 der Zivilprozessordnung der Vereinigten Staaten von Amerika mit Geldstrafe belegt und/oder Gefängnis bestraft werden koennen, und dass derartig wissentlich und vorsätzlich falsche Angaben die Gültigkeit der vorliegenden Patentanmeldung oder eines darauf erteilten Patentes gefährden können.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Declaration and Power of Attorney For Patent Application
Erklärung Für Patentanmeldungen Mit Vollmacht
German Language Declaration

VERTRETUNGSVOLLMACHT: Als benannter Erfinder beauftrage ich hiermit den nachstehend benannten Patentanwalt (oder die nachstehend benannten Patentanwälte) und/oder Patent-Agenten mit der Verfolgung der vorliegenden Patentanmeldung sowie mit der Abwicklung aller damit verbundenen Geschäfte vor dem Patent- und Warenzeichenamt: (*Name und Registrierungsnummer anführen*)

Stephen A. Bent, Reg. No. 29,768; David A. Blumenthal, Reg. No. 26,257; Beth A. Burrous, Reg. No. 35,087; William T. Ellis, Reg. No. 26,874; John J. Feldhaus, Reg. No. 28,822; Michael Kaminski, Reg. No. 32,094; Kyle K. Kimms, Reg. No. 34,079; Kenneth Krosin, Reg. No. 25,735; Johnny A. Kumar, Reg. No. 34,649; Glenn Law, Reg. No. 34,371; Peter G. Mack, Reg. No. 26,001; Stephen B. Macbius, Reg. No. 35,264; Brian J. McNamara, Reg. No. 32,789; Sybil Meloy, Reg. No. 22,749; George E. Quillin, Reg. No. 32,792; Andrew E. Rawlins, Reg. No. 34,702; Bernhard D. Saxe, Reg. No. 28,665; Charles F. Schill, Reg. No. 27,590; Richard L. Schwaab, Reg. No. 25,479; Michele M. Simkin, Reg. No. 34,717; Harold C. Wegner, Reg. No. 25,258.

Telefongesprache bitte richten an:
 (*Name und Telefonnummer*)

RICHARD L. SCHWAAB (202) 672-5300

Postanschrift: FOLEY & LARDNER
 3000 K Street, N.W., Suite 500
 Washington, D.C. 20007-5109

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (*List name and registration number*)

Stephen A. Bent, Reg. No. 29,768; David A. Blumenthal, Reg. No. 26,257; Beth A. Burrous, Reg. No. 35,087; William T. Ellis, Reg. No. 26,874; John J. Feldhaus, Reg. No. 28,822; Michael Kaminski, Reg. No. 32,094; Lyle Kimms, Reg. No. 34,079; Kenneth Krosin, Reg. No. 25,735; Johnny A. Kumar, Reg. No. 34,649; Glenn Law, Reg. No. 34,371; Peter G. Mack, Reg. No. 26,001; Stephen B. Macbius, Reg. No. 35,264; Brian J. McNamara, Reg. No. 32,789; Sybil Meloy, Reg. No. 22,749; George E. Quillin, Reg. No. 32,792; Andrew E. Rawlins, Reg. No. 34,702; Bernhard D. Saxe, Reg. No. 28,665; Charles F. Schill, Reg. No. 27,590; Richard L. Schwaab, Reg. No. 25,479; Michele M. Simkin, Reg. No. 34,717; Harold C. Wegner, Reg. No. 25,258.

Direct Telephone calls to:
 (*Name and telephone number*)

RICHARD L. SCHWAAB (202) 672-5300

Send Correspondence to: FOLEY & LARDNER
 3000 K Street, N.W., Suite 500
 Washington, D.C. 20007-5109

Voller Name des einzigen oder ursprünglichen Erfinders:		Full name of sole or first inventor:	
Ian DIETRICH		Ian DIETRICH	
Unterschrift des Erfinders	Datum	Inventor's signature	Date
<i>J. Dietrich</i>	27.9.2001	<i>J. Dietrich</i>	27.9.2001
Wohnsitz		Residence	
Kreuzlingen, Switzerland		Kreuzlingen, Switzerland	
Staatsangehörigkeit		Citizenship	
Switzerland		Switzerland	
Postanschrift		Post Office Address	
Laerchengasse 13 Kreuzlingen Switzerland		Laerchengasse 13 Kreuzlingen Switzerland	
Voller Name des zweiten Miterfinders (falls zutreffend)		Full name of second joint inventor, if any	
Peter KUMMER		Peter KUMMER	
Unterschrift des Erfinders	Datum	Second inventor's signature	Date
<i>P. Kummer</i>	26.9.01	<i>P. Kummer</i>	26.9.01
Wohnsitz		Residence	
Neunkirch, Switzerland		Neunkirch, Switzerland	
Staatsangehörigkeit		Citizenship	
Switzerland		Switzerland	
Postanschrift		Post Office Address	
Schaffhauserstrasse 19 CH-8213 Neunkirch, Switzerland		Schaffhauserstrasse 19 CH-8213 Neunkirch, Switzerland	

Declaration and Power of Attorney For Patent Application
Erklärung Für Patentanmeldungen Mit Vollmacht
German Language Declaration

(Bitte entsprechende Informationen und Unterschriften im Falle von dritten und weiteren Miterfindern angeben.)

(Supply similar information and signature for third and subsequent joint inventors.)

Voller Name des dritten Miterfinders (falls zutreffend):		Full name of third joint inventor, if any:	
Ilona STIBUREK		Ilona STIBUREK	
Unterschrift des Erfinders	Datum	Third inventor's signature	Date
<i>I. Stiburek</i>	28.9.2001	<i>I. Stiburek</i>	28.9.2001
Wohnsitz		Residence	
Zuerich, Switzerland		Zuerich, Switzerland	
Staatsangehörigkeit		Citizenship	
Switzerland		Switzerland	
Postanschrift		Post Office Address	
Koechlistrasse 6 CH-8001 Zuerich Switzerland		Koechlistrasse 6 CH-8001 Zuerich Switzerland	
Voller Name des vierten Miterfinders (falls zutreffend):		Full name of fourth joint inventor, if any:	
Unterschrift des Erfinders		Fourth inventor's signature	
Datum		Date	
Wohnsitz		Residence	
Staatsangehörigkeit		Citizenship	
Postanschrift		Post Office Address	
Voller Name des fünften Miterfinders (falls zutreffend):		Full name of fifth joint inventor, if any:	
Unterschrift des Erfinders		Fifth inventor's signature	
Datum		Date	
Wohnsitz		Residence	
Staatsangehörigkeit		Citizenship	
Postanschrift		Post Office Address	
Voller Name des sechsten Miterfinders (falls zutreffend):		Full name of sixth joint inventor, if any:	
Unterschrift des Erfinders		Sixth inventor's signature	
Datum		Date	
Wohnsitz		Residence	
Staatsangehörigkeit		Citizenship	
Postanschrift		Post Office Address	